

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNDER SEAL MAGISTRATE JUDGE MARIA VALDEZ
UNITED STATES DISTRICT COURT

In the Matter of the Search of:

Case Number:

The silver 2001 BMW X5 with Illinois license plate
number BE96058, VIN WBFA53521LM71091,
further described in Attachment A

19M136

APPLICATION AND AFFIDAVIT FOR A SEARCH WARRANT

I, Mark A. Wallschlaeger, a Special Agent of the Federal Bureau of Investigation, request a search warrant
and state under penalty of perjury that I have reason to believe that on the following property or premises:

See Attachment A

located in the Northern District of Illinois, there is now concealed:

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is evidence, instrumentalities, and fruits.

The search is related to a violation of:

Code Section

Offense Description

Title 18, United States Code, Section 2113(a)

bank robbery

The application is based on these facts:

See Attached Affidavit,

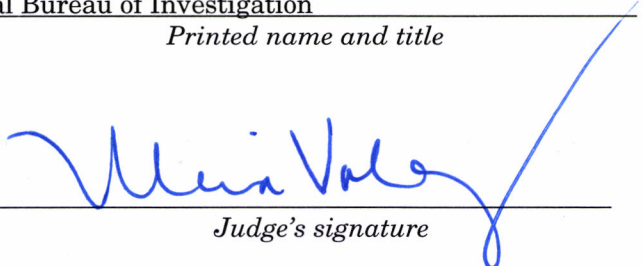
Continued on the attached sheet.


Applicant's Signature

MARK A. WALLSCHLAEGER, Special Agent,
Federal Bureau of Investigation
Printed name and title

Sworn to before me and signed in my presence.

Date: March 1, 2019


Judge's signature

City and State: Chicago, Illinois

MARIA VALDEZ, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SS

AFFIDAVIT

I, MARK A. WALLSCHLAEGER, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed for the past 21 years. My current responsibilities include the investigation of violent crimes, including, among others, kidnaping, bank robbery, and the apprehension of violent fugitives.

2. This affidavit is submitted in support of a search warrant for the silver BMW X5 with Illinois license plate number BE96058 and VIN WBAFA53521LM71091, further described in Attachment A (the "**Subject Vehicle**"), for evidence, instrumentalities, fruits, and contraband described further in Attachment B, concerning bank robbery offenses, in violation of Title 18, United States Code, Section 2113(a). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are sufficient to establish probable cause to believe that evidence, instrumentalities, fruits, and contraband of violations of Title 18, United States Code, Section 2113(a), are located in the **Subject Vehicle**.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, reports I have read related to this

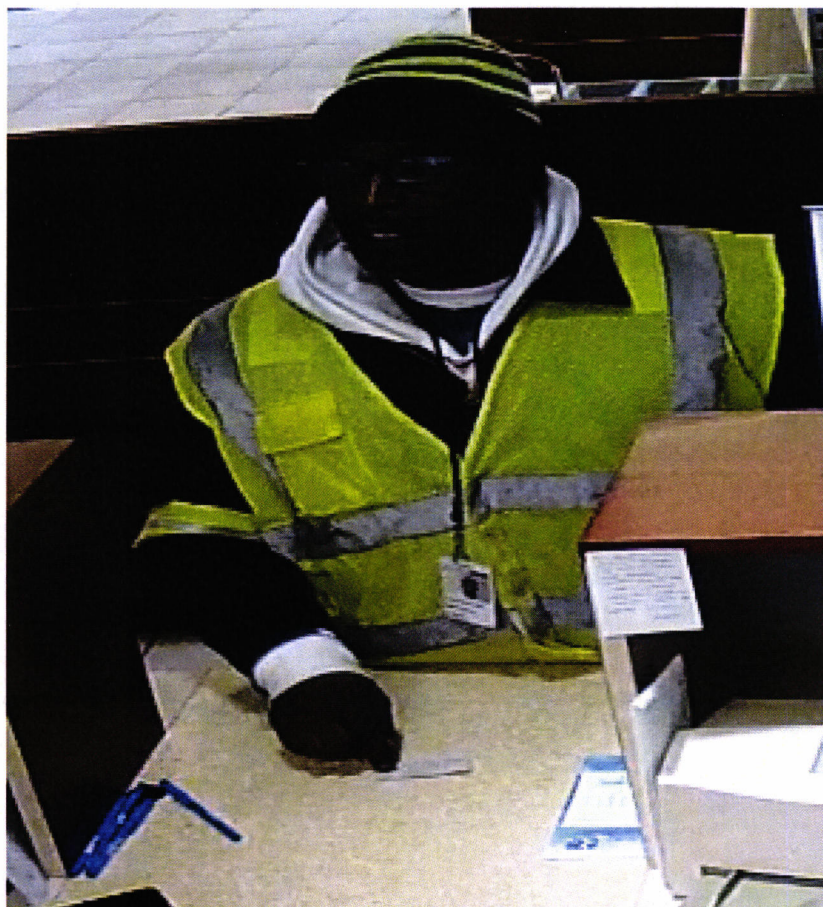
investigation, conversations that I have had with others who have knowledge of the events and circumstances described herein, interviews of bank employees and witnesses, my review of surveillance photographs and video, and my experience and training as an FBI agent.

FACTS SUPPORTING PROBABLE CAUSE

4. On or about February 20, 2019, at approximately 11:12 a.m., as described by witnesses and confirmed by surveillance video, a black male individual entered the Royal Bank located at 1823 West 47th Street in Chicago, Illinois, on the corner of West 47th Street and South Honore Street. After entering the bank, this individual approached the teller counter. At the time the robbery occurred, Teller A was working behind the teller counter. According to Teller A, as the robber approached the teller counter, he asked, in sum and substance, "What do I need to do to open an account?" When the robber arrived at the teller counter, the robber placed a note on the teller counter that was written on the back of a business card and stated, in sum and substance, "This is a robbery." Teller A attempted to read the note, but was interrupted by the robber, who stated, in sum and substance, "You're taking too long—hurry up or I'll start shooting. You think I'm fucking playing, hurry up or I'll start shooting." Teller A began removing money from the teller drawer. The robber leaned over the teller counter to point out other money in the drawer and then took all the money from Teller A. The robber also took the demand note and exited the bank with the money at approximately 11:13 a.m.

5. According to Teller A, and as confirmed by viewing the bank surveillance video and photographs, the robber was a black male wearing a bright green reflective vest, blue coveralls with lime-green stripes on the pant legs, a white hooded sweatshirt under the coveralls, a striped skull cap, and glasses. The robber also wore what appears to be an employee ID badge around his neck. Teller A further described the robber as being approximately 6'01" tall and 38 to 48 years of age.

6. The screenshot below shows the robber as captured by Royal Bank surveillance video at approximately 11:12 a.m.



7. According to employees of Royal Bank, a subsequent bank audit determined that the robber stole \$5,046 from the bank. Royal Bank also provided the FBI with documentation showing that, on February 20, 2019, the deposits of the Royal Bank were insured by the Federal Deposit Insurance Corporation.

8. Following the bank robbery, I reviewed Royal Bank's surveillance video from the February 20, 2019, robbery. A Royal Bank camera that faced northbound on South Honore Street at West 47th Street captured the robber walking southbound on South Honore Street, crossing West 47th Street before entering the bank at approximately 11:12 a.m. On this video, the robber is seen walking with a noticeable limp and is wearing a lime green vest.

9. Another Royal Bank security camera facing northbound on South Honore Street captured the robber exiting the bank at approximately 11:13 a.m., running northbound on South Honore Street and getting into a silver vehicle, which was parked on South Honore Street. As captured by the security camera, seconds later, the silver vehicle then drove southbound on South Honore Street a short distance before turning eastbound into an alley, located just north of West 47th Street.

10. Law enforcement obtained security video footage from a business on West 47th Street, which captured the alley down which the robber drove. That video captured the robber's vehicle, a Silver BMW X5 with Illinois license plate number BE96058 (the "**Subject Vehicle**") traveling eastbound through the alley away from Royal Bank. As seen in the video, the driver of the **Subject Vehicle** was wearing a lime green vest. According to Illinois Secretary of State records, the **Subject Vehicle**

is registered to Individual A and is described as a silver 2001 BMW X5 with VIN WBAFA53521LM71091. Further investigation determined that Individual A is currently, and has been, in the custody of the Illinois Department of Corrections since 2007.

11. Agents reviewed Chicago Police Department (“CPD”) records for any contact with a vehicle bearing Illinois license plate number BE96058. CPD reports showed that on or about February 11, 2019, CPD officers stopped the **Subject Vehicle** which was being operated by a male individual. According to the body camera recordings of the CPD officers, which FBI agents reviewed, the driver of the **Subject Vehicle** identified himself as VONTAE HORSHAW. During the stop, and as captured by the body camera, HORSHAW exited the vehicle and walked with a noticeable limp. I compared the footage of the February 11, 2019, traffic stop with the Royal Bank surveillance video of the robber on February 20, 2019, and I believe the driver and the robber to be the same person.

12. According to CPD reports of prior arrests of HORSHAW in 2013 and 2017, HORSHAW is 5’ 9” tall and in 2017 weighed approximately 200 pounds. After comparing prior CPD photographs of HORSHAW to a surveillance photograph of the robber captured by Royal Bank on February 20, 2019, I believe that HORSHAW and the bank robber are one in the same. In the prior CPD photographs, HORSHAW was not wearing glasses.

13. Agents showed Teller A a photograph array that included an Illinois state identification photograph of HORSHAW. Teller A did not identify any of the individuals in the array as the robber.

14. Agents interviewed Individual B, who stated that he/she had known HORSHAW since they were “kids.” Individual B stated that between 2014 and 2017, he/she and HORSHAW were involved in an intimate relationship. Individual B was shown a Royal Bank surveillance photograph and asked if he/she was able to identify the person pictured in the photograph. After reviewing the photograph, Individual B identified the person in the surveillance photograph as HORSHAW.

15. On or about February 27, 2019, CPD officers conducted a traffic stop on the **Subject Vehicle**. As reported by the officers, the driver identified himself as HORSHAW, and presented officers with an Illinois photo identification card with his photograph and the name HORSHAW. HORSHAW told the officers that he is the only one who drives that vehicle, except for his mother on occasion.

16. According to my review of the videos captured on the security cameras described above, I observed that after exiting the bank, the robber ran directly to, then entered, the **Subject Vehicle**. Furthermore, on the security video footage from the business, as described above, I observed that the driver of the **Subject Vehicle** was wearing a bright green reflective vest that appeared to be the same as that worn by the robber. Based on my training and experience, and the training and experience of other agents whom I have consulted, I know that individuals often leave or store personal items like articles of clothing in vehicles. Based on my training and

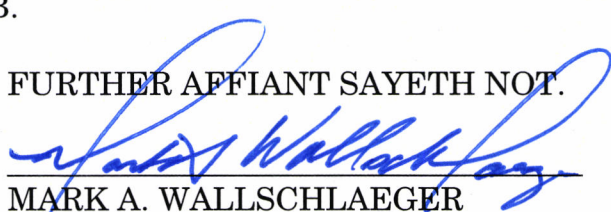
experience, I also know that searches of automobiles can often yield other evidence that can identify previous occupants of the car, including items bearing personal identification and receipts. This evidence can identify participants in the robbery, witnesses to the robbery, or other associates of the robbers who may have information about the robbery.

CONCLUSION

17. Based on the above information, I respectfully submit that there is probable cause to believe that a bank robbery offense, in violation of Title 18, United States Code, Section 2113(a), has been committed, and that evidence, instrumentalities, fruits, and contraband relating to this criminal conduct, as further described in Attachment B, will be found in the **Subject Vehicle**, as further described in Attachment A.

18. I therefore respectfully request that this Court issue a search warrant for silver 2001 BMW X5 with Illinois license plate number BE96058, VIN WBAFA53521LM71091, further described in Attachment A, authorizing the seizure of the items described in Attachment B.

FURTHER AFFIANT SAYETH NOT.


MARK A. WALLSCHLAEGER
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on March 1, 2019.


MARIA VALDEZ
United States Magistrate Judge

ATTACHMENT A

The Subject Vehicle to be searched is a silver 2001 BMW X5 with Illinois license plate number BE96058 and VIN WBAFA53521LM71091



ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

Evidence, instrumentalities and fruits concerning violation of Title 18, United States Code, Section 2113(a), as follows:

1. Any items of clothing worn during the robbery, including but not limited to-a lime-green reflective vest, blue coveralls with lime-green stripes on the pant legs, a white hooded sweatshirt under the coveralls, a striped skull cap, glasses, and an ID card on a lanyard.
2. Any guns, firearms, or ammunition.
3. United States currency.
4. Handwritten notes.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNDER SEAL

In the Matter of the Search of:

Case Number:

The silver 2001 BMW X5 with Illinois license plate
number BE96058, VIN WBFAFA53521LM71091,
further described in Attachment A

19M136

SEARCH AND SEIZURE WARRANT

To: Mark A. Wallschlaeger and any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of
the following person or property located in the Northern District of Illinois:

See Attachment A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person
or property described above, and that such search will reveal:

See Attachment B

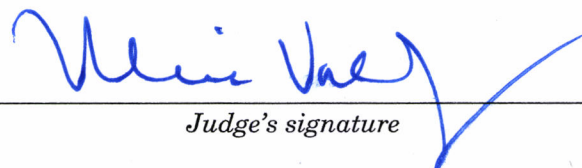
YOU ARE HEREBY COMMANDED to execute this warrant on or before March 14, 2019 in the daytime
(6:00 a.m. to 10:00 p.m.).

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property
taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the
place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an
inventory as required by law and promptly return this warrant and inventory to the issuing United States Magistrate
Judge.

Date and time issued: March 1, 2019

10:50am


Judge's signature

City and State: Chicago, Illinois

MARIA VALDEZ, U.S. Magistrate Judge
Printed name and title

Return

Case No:

Date and Time Warrant Executed:

Copy of Warrant and Inventory Left With:

Inventory made in the presence of:

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title

ATTACHMENT A

The Subject Vehicle to be searched is a silver 2001 BMW X5 with Illinois license plate number BE96058 and VIN WBAFA53521LM71091



ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

Evidence, instrumentalities and fruits concerning violation of Title 18, United States Code, Section 2113(a), as follows:

1. Any items of clothing worn during the robbery, including but not limited to-a lime-green reflective vest, blue coveralls with lime-green stripes on the pant legs, a white hooded sweatshirt under the coveralls, a striped skull cap, glasses, and an ID card on a lanyard.
2. Any guns, firearms, or ammunition.
3. United States currency.
4. Handwritten notes.